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January 5, 2023

VIA ECF

The Honorable Judge Sidney H. Stein
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

**Re: *United States v. Jennifer Shah, et al.*, 19 Cr. 833 (SHS)
Response to Government Supplemental Sentencing Submission**

Dear Judge Stein:

As the Court is aware, we represent Jennifer Shah in the above-referenced matter, which is scheduled for sentencing on January 6, 2023.

On January 4, 2023, the government filed its Supplemental Sentencing Submission (ECF No. 650) (“submission”), which it inappropriately characterizes as relevant to Ms. Shah’s sentencing. We write to object to this submission and move this Court to strike it from the docket. Alternatively, we request the Court disregard this submission entirely.

First, the government’s submission contains salacious, scandalous, unproven, and irrelevant non-criminal allegations against Ms. Shah which have no basis in this Court’s 18 U.S.C. § 3553 calculus. Simply put, nothing in the government’s submission has any relevance to Ms. Shah’s offense or the appropriate sentence here, nor is it “relevant conduct” under even the most liberal interpretation of that phrase.

Second, shortly after receiving the government’s discovery regarding its submission, we had an opportunity to investigate and learned that the woman making these allegations *recanted* them in an email four days later (in March 2019).¹ In that email, the woman admits that she was wrong in accusing Ms. Shah of having an affair and further admits that her allegations were the result of her PTSD and an emotional state. This information calls this woman’s credibility into grave doubt, and thus we immediately provided this email to the government and asked it to withdraw the submission. The government has refused.

Third, this entire escapade proves why this sort of unreliable, salacious nonsense has no place in a federal criminal sentencing. Rather than focusing on the grave task of fashioning the

¹ We file that email under seal.

just sentence for Ms. Shah, who has acknowledged her criminal wrongdoing, the government has wasted its own resources and the Court's time, all the while needlessly embarrassing Ms. Shah thirty-six hours before the most important day of her life.

For all the aforementioned reasons, we respectfully request the Court strike the Government's Supplemental Sentencing Submission from the record or, in the alternative, disregard it entirely.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Priya Chaudhry', enclosed within a circular scribble.

Priya Chaudhry

Cc: AUSA Robert Sobelman
AUSA Kiersten Fletcher
AUSA Sebastian Swett